

Application No.: 10/595,081
Amendment Dated: March 16, 2009
Reply to Office Action of: January 12, 2009

MAT-8798US

Remarks/Arguments:

Claims 1-3 and 5-9 are pending. Claims 4 and 10 are cancelled. Claims 11 and 12 are withdrawn. Claims 1 and 9 are amended to recite that the vacuum heat insulator has a heat conductivity of from 0.0018 to 0.0020 W/mK. Support for this amendment is found in Examples E1-E5 of the specification as originally filed (See Table 1 in the specification); no new matter has been introduced.

The Office Action notes that "[t]he substitute specification filed 11/3/08 has not been entered because it does not conform to 37 CFR 1.125(b) and (c)." However, this document was not a substitute specification, but rather a corrected translation of the International application from which the above-identified United States application claims priority. Based on the Communication dated February 12, 2009, from the Office of PCT Legal Administration, it is Applicants' understanding that the Office has now accepted the corrected translation and that it is therefore not necessary for Applicants to take any further action with regard to this document.

Claims 1-3 and 5-10 stand rejected under 35 U.S.C. § 112 as failing to comply with the enablement requirement. Applicants traverse the rejection.

The Office Action states "[t]here is no original disclosure directed to a 'strain point' as is now set for in claims 1, 9, and 10." Contrary to this assertion, however, Applicants explained previously that "distortion point" appeared in the English language National Phase application due to a translation error, and "strain point" is the correct translation of the original Japanese language PCT International Phase application. Thus, in the original Japanese filing of PCT/JP2005/001874, "strain point" was originally disclosed. No new matter has been added. Withdrawal of the rejection is respectfully requested.

The Office Action further states "the original disclosure does not support the claimed range of heat conductivity less than or equal to 0.0020 W/mK." While not agreeing with this statement, Applicants have amended the pending claims so that they now recite that the vacuum heat insulator has a heat conductivity of from 0.0018 to 0.0020 W/mK. As explained above, support for this amendment is found in the application as originally filed and the rejection should therefore be withdrawn.

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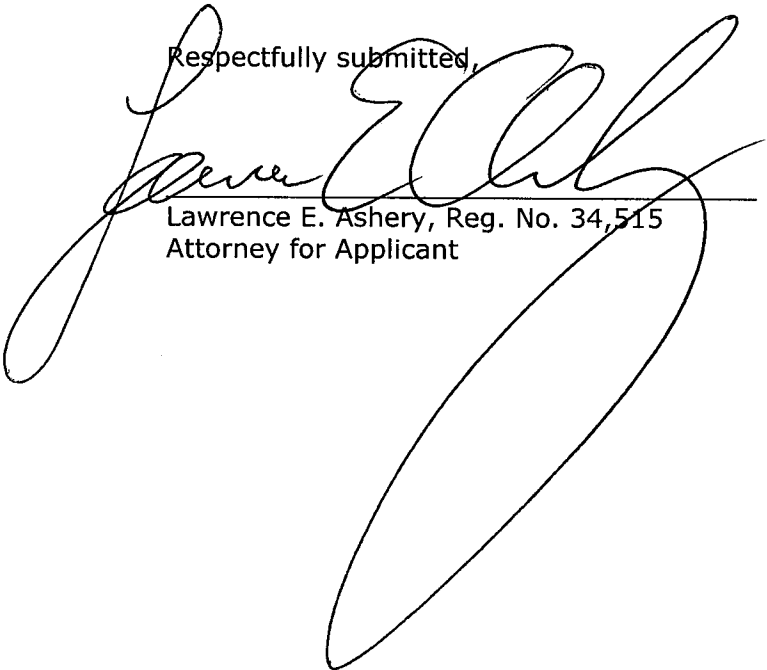
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The rejection as it relates to claim 10 has been obviated by cancellation of this claim.

Claims 2, 3, and 5-9 include all the features of claim 1 from which they depend, and should be allowable for the same reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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